

**KAMINSKI et al.**  
**Application No. 10/709,741**  
**March 13, 2006**

**REMARKS/ARGUMENTS**

Reconsideration and allowance of this application are respectfully requested.

Currently, claims 1-15 and 17-20 are pending in this application.

**Allowable Subject Matter:**

Claims 1-11 have been allowed.

**Rejection Under 35 U.S.C. §103:**

Claims 12-15 and 17-20 were rejected under 35 U.S.C. §103 as allegedly being unpatentable over Fokuda et al (U.S. '907, hereinafter "Fokuda") in view of Stockmayer et al (EP '517, hereinafter "Stockmayer"). Applicant respectfully traverses this rejection.

In order to establish a prima facie case of obviousness, all of the claim limitations must be taught or suggested by the prior art and there must be some suggestion or motivation either in the references themselves or in the knowledge generally available to one of ordinary skill in the art to modify the reference or to combine reference teachings.

The combination of Fokuda and Stockmayer fails to teach or suggest all of the claim limitations. For example, the combination fails to teach or suggest "a spindle having a constant cross-sectional shape and first and second flat surfaces extending perpendicular to the direct axis of the magnetic core (emphasis added)," as required by independent claim 12 and its dependents. Similar comments apply to independent claim 17 and its dependents.

While Fig. 2 of Stockmayer discloses a spindle 6 which appears to include flat surfaces, there is no further teaching or suggestion that these flat surfaces are perpendicular to the direct axis of the magnetic core. It appears that Stockmayer fails to

identify any relationship between the flat surfaces of spindle 6 and the direct axis of the magnetic core.

Rather than a spindle having a constant cross-sectional shape, Fig. 2 of Stockmayer apparently discloses a spindle 6 having a variable cross-sectional shape. As understood by those skilled in the art, the ordinary meaning of constant is “continually recurring; persistent” or “unchanging in nature, value, or extent; invariable.”<sup>1</sup> This commonly understood definition is consistent with the specification. For example, Figs. 1-2 of the application illustrates a spindle 18 having a unchanging cross section. In contrast, the spindle 6 of Stockmayer clearly has a variable cross-sectional shape.

Accordingly, even if Fokuda and Stockmayer were combined as proposed by the Office Action, the combination would not have taught or suggested a spindle having (i) a constant cross-sectional shape, and (ii) first and second flat surfaces extending perpendicular to the direct axis of the magnetic core.

Paragraph [0018] of the originally-filed specification states, *inter alia*, “Accordingly, the dynamic performance of a drive train of the rotor (e.g., a gas turbine-driven rotor drive train) can be improved by adjusting the stiffness of the rotor spindle 18 through the shape of flat surfaces 18a and 18b and building out projection 15 and 17 from the body of the rotor core 11 beyond surfaces 14 and 16. Performance of the rotor drive train can thus be optimized by adjusting the stiffness, mass and architecture of core 11.” Neither Fokuda nor Stockmayer appreciates these benefits. Accordingly, Applicant respectfully submits that one of ordinary skill in the art would not have been motivated to combine the teachings of Fokuda and Stockmayer to arrive at the present invention. The

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<sup>1</sup> See the American Heritage Dictionary of the English Language ©1981 by Houghton Mifflin Company (William Morris, editor).

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alleged motivation ("transferring the torque to or from the rotor") for combining Fokuda and Stockmayer indicated in the Office Action has no basis. That is, there is no teaching or suggestion in Fokuda and/or Stockmayer of their structure "transferring the torque to or from the rotor" in a manner that is more advantageous than any other spindle. As noted above, Stockmayer fails to even teach or suggest the flat surfaces of a spindle extending perpendicular to the direct axis of the magnetic core.

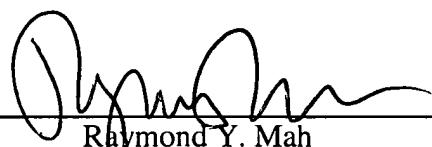
**Conclusion:**

Applicant believes that this entire application is in condition for allowance and respectfully requests a notice to this effect. If the Examiner has any questions or believes that an interview would further prosecution of this application, the Examiner is invited to telephone the undersigned.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

By: \_\_\_\_\_

  
Raymond Y. Mah  
Reg. No. 41,426

RYM:sl  
901 North Glebe Road, 11th Floor  
Arlington, VA 22203-1808  
Telephone: (703) 816-4044  
Facsimile: (703) 816-4100